

SECTION '2' – Applications meriting special consideration

Application No : 13/00173/FULL1

Ward:
Darwin

Address : Land Rear Of 2 And 3 St Margarets
Avenue Berrys Green Road Berrys
Green Westerham

OS Grid Ref: E: 543872 N: 159294

Applicant : Restavon Estates Ltd

Objections : YES

Description of Development:

Formation of car parking area at Restavon Park.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding

Proposal

It is proposed to form a car parking area on a piece of land situated at the northern end of this mobile home park which is currently used as part of an open communal amenity area.

The area of land measures 23m x 17m, and it is proposed to lay tarmac bitumen in order to provide 14 car parking spaces, with additional planting to be provided along the western boundary with "Groveland". An existing access road between Nos.3 and 4 St Margarets Avenue would be used to access the site.

The proposals meet an identified need for additional parking at the mobile home park as many existing residents have two cars, and there is insufficient car parking on the estate to deal with current demand. It is proposed that the additional spaces would be used by nearby residents on the estate.

Location

Restavon Park is a long established residential mobile home park which is located on the eastern side of Berrys Green Road, within the Green Belt. It contains 82 mobile homes set within a parkland setting, and contains areas of communal and visitor parking.

The area of land to be used for parking lies to the north of Nos.2 and 3 St Margarets Avenue, and is bounded to the west by “Groveland”, Berrys Green Road, and to the north by the rear garden of “Sunnyside”, Berrys Green Road.

Comments from Local Residents

Letters of objection have been received from nearby residents in Berrys Green Road, who raise the following main concerns:

- unacceptable noise and disturbance, fumes and light pollution from use of the parking area, particularly during the morning and late evening
- using an open amenity area for parking would be inappropriate development in the Green Belt
- provision of more parking would only encourage greater car use, which is against government policy
- the strip of amenity land currently acts as a buffer between the mobile home park and neighbouring properties, and should not be built upon
- loss of grassed amenity area to residents of the park
- loss of openness within the Green Belt
- car park would encourage more traffic to and from the site
- if permission is granted, there is likely to be more pressure to provide parking on remaining amenity areas.

A letter of support has also been received from an occupier of Restavon Park who considers that the proposals would provide much needed parking in a convenient location, particularly for disabled and elderly residents of the Park.

The application has been called into committee by a local ward councillor.

Comments from Consultees

The Council’s Highway Engineer raises no objections to the proposals as it is considered unlikely that the proposals would increase the number of vehicles on the site, but would provide a better arrangement for the parking of vehicles already on the site.

From a drainage point of view, surface water would be drained to soakaways (as there is no nearby public surface water sewer), to which no objections are raised subject to the installation of a petrol interceptor.

No concerns are raised by Thames Water.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan

- G1 The Green Belt
- BE1 Design of New Development
- T3 Parking

The National Planning Policy Framework (NPPF) was introduced in March 2012 and supersedes Government's guidance previously given in PPGs and PPSs. As with previous Green Belt policy, the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances.

Planning History

The application site, along with the remaining strip of land to the north of the mobile home park was formerly used as a piggery, and permission was originally refused in 1986 (under ref. 86/02965) to use it as a recreational area for the mobile home park on grounds relating to the undesirable enlargement of the park, and the detrimental impact on residential amenity.

However, it was allowed on appeal in 1988, whereby the Inspector considered that the site was in "a well screened location that is less conspicuous than the existing Park" and that "recreation use would have little visual impact on the land and when seen from the surrounding countryside, there would be little change, especially if existing hedges are retained and reinforced". He concluded that the proposals would not detract from the amenity of the Green Belt.

With regard to residential amenity, the Inspector accepted that the proposal would affect the quiet and privacy of the adjoining houses, but considered that as the site was relatively large and the use was limited to recreation, the effects would not be so serious to warrant a refusal. Conditions imposed by the Inspector related to the provision of landscaping and screen fencing.

Conclusions

The primary considerations in this case are, in the first instance, whether the proposal would constitute inappropriate development within the Green Belt, and if so, whether any benefits of the scheme would clearly outweigh any harm by reason of inappropriateness and any other harm, and thus justify the development on the basis of very special circumstances.

If the proposals are considered acceptable in principle, the other main consideration is the impact on the amenities of neighbouring residents.

UDP Policy G1 states that the material change of use of land, engineering and other operations within the Green Belt will be inappropriate unless they maintain the openness and do not conflict with the purposes of including land in the Green Belt. Paragraph 90 of the NPPF advises that certain forms of development (including engineering operations) are not inappropriate provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

The proposals involve operational development to provide a hardstanding approximately 23m x 21m (483sq.m.) for a car park. The land is currently an open grassed area in use for open air recreation purposes.

The provision of a car parking area on a currently open area of amenity land would undoubtedly have an impact on the openness of this part of the Park, and although the area is screened to a certain extent from properties in Berrys Green Road (with additional shrub planting proposed along the western boundary), the proposals are still considered to have a seriously detrimental impact on the openness and visual amenities of the Green Belt, and conflict with the purposes of including land within it, and would thus comprise inappropriate development contrary to Policy G1 of the UDP and the NPPF.

With regard to the impact on neighbouring properties, the proposals would bring a significant number of vehicle movements and other associated noise into an area which is currently used for relatively quiet recreational purposes, which is likely to have a detrimental impact on the amenities of neighbouring properties, in particular, "Groveland" to the west which backs onto the site, and the rear garden of "Sunnyside" located to the north. The dwelling at Groveland would be situated 17-20m from the parking area, with its rear garden immediately abutting it, and the existing and proposed screening to this property would not be sufficient to adequately protect it from the additional noise and disturbance likely to be caused by the introduction of a parking area for 14 cars. Similarly, the use of the rear garden of Sunnyside by its occupiers would be affected by the additional activity caused.

The amenities of properties adjacent to the site in St. Margarets Avenue (Nos.2, 3 and 4) may also be affected by the increased activity in this area, although the site is at a lower level than the neighbouring mobile homes, and existing walls/hedging along the boundary would help to limit the impact.

In conclusion, both Policy G1 and the NPPF attach great importance to the Green Belt and maintaining the essential characteristics of openness and permanence. Whilst openness is not defined, it can be seen as the absence of development, and the impact of such development upon the openness of the Green Belt is primarily a matter of its quantum and physical effect upon the site rather than its visibility. As such, the proposal constitutes the introduction of development onto an otherwise undeveloped, open area that contributes to the wider openness of the Green Belt itself. The proposal therefore constitutes inappropriate development, and no very special circumstances are seen to make an exception to established policy.

The proposed car park would also have an impact on the amenities of the adjoining residents by reason of noise and disturbance.

Background papers referred to during production of this report comprise all correspondence on files refs. 86/02965, 88/01183 and 13/00173, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

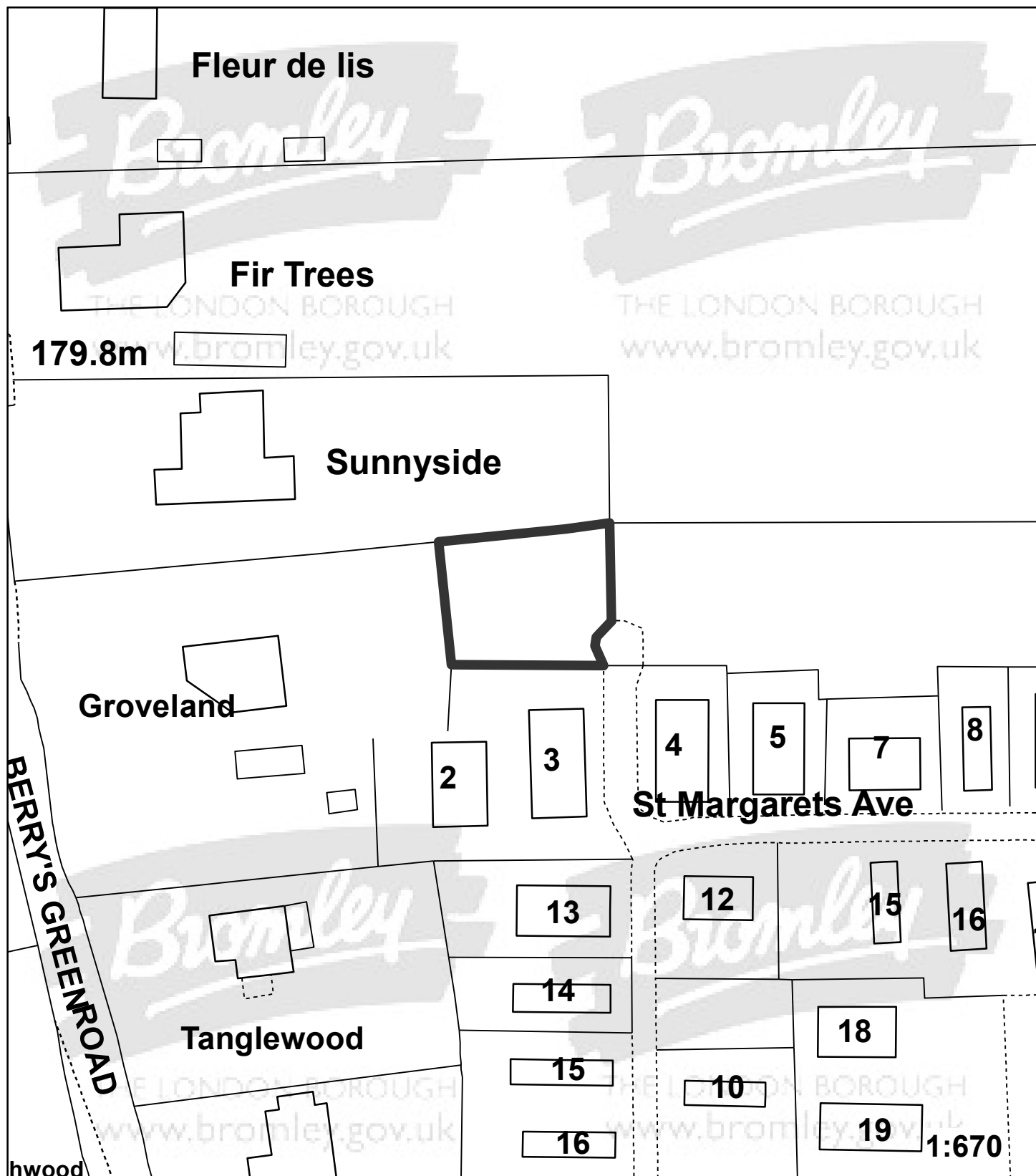
- 1 The proposals would be detrimental to the openness and visual amenities of the area and therefore constitute inappropriate development within the Green Belt, and the Council sees no very special circumstances in this case which might justify the grant of planning permission as an exception to Policy G1 of the Unitary Development Plan.

- 2 The proposals would have a seriously detrimental impact on the amenities of neighbouring residential properties by reason of increased noise and general disturbance likely to be caused by the parking area, and would thereby be contrary to Policy BE1 of the Unitary Development Plan.

Application:13/00173/FULL1

Address: Land Rear Of 2 And 3 St Margarets Avenue Berrys Green Road Berrys Green Westerham

Proposal: Formation of car parking area at Restavon Park.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

© Crown copyright and database rights 2013. Ordnance Survey 100017661.